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2 June 1992

Joseph C. Helfrich
Assessment Officer
Utah Division of Oil Gas & Mining
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RECEIVED

JUN 04 1992

DIVISION OF
OIL GAS & MINING

Re: Proposed Assessment for State Violations No. N92-40-10-2, Co-Op Mining Co., Bear Canyon Mine, ACT/015/025, Emery County, Utah

As an agent of Co-Op Mining Co. I request that a *fact of violation and* assessment conference to review the violation and proposed penalty be scheduled. The following comments refer to the violations.

ASSESSMENTII. SERIOUSNESSA. Hindrance violations

The violation was written "for certifying an inaccurate map". No regulations are cited for such a violation. No Division regulations were found during the review of this violation that describe such a condition. Scales specified and dimensions shown are accurate within specified tolerances. It should be noted that this map has been through numerous reviews by the Division since 1984 and has been found adequate each time. Plate 3-5 was accurate, properly certified and had been reviewed and approved by the Division at the time the violation was written. No hindrance to operation or enforcement is apparent and the violation should be vacated.

III. NEGLIGENCE

A. See notes above.

IV GOOD FAITH

We request that the final evaluation be made available for review.

D.O.G.M.
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Please notify me and the *Resident Agent* of Bear Canyon Mine when a conference can be scheduled.

Resident Agent: Mr. Wendell Owen
P.O. Box 1245
Huntington, Utah 84528

Thank you for your cooperation in this matter.

A handwritten signature in cursive script, reading "Kimly C. Mangum", followed by a long horizontal line extending to the right.

Kimly C. Mangum, P.E.
Permitting & Compliance Consultant.

cc: Co-Op Mining Co.